IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 254 of 1993

Between:

Kasa Venkataramana, S/o.Apparao, Clerk,

Godavari Grameena Bank, Marripudi,

Rangampeta Mandal, East Godavari District.

..... PETITIONER

AND

1. Joint Collector, East Godavari, Kakinada.

2. Mandal Revenue Officer, Rajavommangi,

East Godavari District.

3. Revenue Divisional Officer, Rampachodavaram,

East Godavari District.

4. Chairman, Godavari Grameena Bank,

Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ of Certiorari or any other appropriate Writ, order or direction, calling for the records relating to the proceedings Ref.B2/10667/91 dt.22-12-1992 of the first respondent and quash the same and consequently direct the respondents to continue the benefits due to the petitioner as Schedule Tribe.

Counsel for the petitioner: MR. V.S.SASTRY

Counsel for Respondents 1 to 3: GOVERNMENT PLEADER FOR SOCIAL WELFARE

Counsel for Respondent No.4: MR. N.RAMA MOHANA RAO

The Court made the following:

ORDER:

This writ petition is filed questioning the orders of the Joint Collector, East Godavari District at Kakinada, cancelling the caste certificate issued earlier to the petitioner.

As much as after filing of the writ petition, a special enactment has come regarding certificates issued for the Scheduled Castes, the Scheduled Tribes and the Backward Classes. In view of the enforcement of the said legislation, which is subsequent to the filing of the writ petition, there is an effective alternative remedy of appeal to the Government against the orders of the cancellation of caste certificates under Section 7 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993.

In that view of the matter, without going into the merits of the case, I dispose of the writ petition permitting the petitioner to avail the remedy of appeal before the government within a period of six weeks from the date of receipt of a copy of this order. On filing such appeal, the Government shall entertain the same without reference to the limitation and consider the same on its own merits, as expeditiously as possible. It is made clear that if the appeal is not filed within the stipulated period as indicated above, it is open for the respondents to initiate action in accordance with law.

Subject to the above directions, the writ petition is disposed of. No costs.

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R.SUBHASH REDDY, J

Dated: 20th December, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, East Godavari District at Kakinada.

2. The Mandal Revenue Officer, Rajavommangi Mandal,

East Godavari District.

3. The Revenue Divisional Officer, Rampachodavaram Revenue

Division, East Godavari District.

4. Two CCs to the Government Pleader for Social Welfare,

High Court Buildings, Hyderabad (O.U.T).

5. Two CD copies.